

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
VICTORIA DIVISION**

In re:

SCOTT VINCENT VAN DYKE,

Debtor.

§
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§
§
§
§

Chapter 11

Case No. 21-60052

**MICHAEL L. NOEL’S WITNESS AND
EXHIBIT LIST FOR AUGUST 24, 2021 HEARING**

Michael L. Noel (“Noel”) by and through its undersigned counsel, hereby files this Witness and Exhibit List for the hearing on *Michael L. Noel’s Motion for Relief from Stay Regarding State Court Litigation* [Docket No. 37].

WITNESSES

Noel may call any of the following as a witness at the hearing:

1. Mike Seely and/or Jill Hale, counsel for Noel in state court lawsuit filed against Scott Van Dyke (“Van Dyke”);
2. Any witness called or designated by any other party in interest; and
3. Any witness necessary to rebut the testimony of witnesses called or designated by any other party.

EXHIBITS

Noel may offer any one or more of the following exhibits at the hearing:

EXHIBIT	DESCRIPTION	M A R K E D	O F F E R E D	O B J E C T	A D M I T

1.	Van Dyke Response, asserting statute of limitations defense, filed on Jan. 18, 2021 in <i>Noel et al. v. Van Dyke et al.</i> , pending in the 127 th District Court of Harris County, Texas (the “ <u>State Court Lawsuit</u> ”)				
2.	Order Granting Partial Summary Judgment (signed on Feb. 10, 2021 in State Court Lawsuit)				
3.	Email exchanges during Feb—May 2021 re trial settings in State Court Lawsuit, among (i) counsel for Dr. Noel, (ii) counsel for Van Dyke, and (iii) trial coordinator				
4.	Timeline Summary				
	Any document or pleading filed in the above-captioned main cases				
	Any exhibit necessary for impeachment and/or rebuttal purposes				
	Any exhibit identified or offered by any other party				

Noel reserves the right to use additional demonstrative exhibits as they deem appropriate in connection with this hearing. Noel also reserves the right to call or to introduce one or more, or none, of the witnesses or exhibits listed above, and further reserves the right to supplement or amend this list at any time prior to the hearing.

Dated: August 20, 2021

Respectfully submitted,

FOLEY & LARDNER LLP

/s/ David S. Elder

David S. Elder
State Bar No. 06507700
1000 Louisiana Street, Suite 2000
Houston, Texas 77002-2099
Telephone: 713-276-5500
Email: dselder@foley.com

ATTORNEYS FOR MICHAEL L. NOEL

CERTIFICATE OF SERVICE

I do hereby certify that on August 20, 2021 a true and correct copy of the foregoing Exhibit List was served by United States mail, first class, postage prepaid to the parties on the attached service list or via CM/ECF to all parties authorized to receive electronic notice in this case.

/s/ David S. Elder

David S. Elder

Service List

Label Matrix for local noticing
0541-6
Case 21-60052
Southern District of Texas
Victoria
Fri Aug 20 10:47:52 CDT 2021

Henke, Williams & Boll, LLP
2929 Allen Parkway, Suite 3900
Houston, TX 77019-7125

BBVA Compass
Attn: Bankruptcy
PO Box 10566
Birmingham, AL 35296-0001

Central Portfolio Control
Attn: Bankruptcy Attn: Bankruptcy
10249 Yellow Circle Dr , Ste 200
Minnetonka, MN 55343-9111

Citibank
Citicorp Credit Svcs/Centralized Bk dept
PO Box 790034
St Louis, MO 63179-0034

Henke, Williams & Boll, LLP
2929 Allen Parkway, Suite 3900
Houston, Texas 77019-7125

Michael L. Noel
12222 Taylorcrest
Houston, TX 77024-4247

US Trustee
Office of the US Trustee
515 Rusk Ave
Ste 3516
Houston, TX 77002-2604

Brendon D Singh
Tran Singh, LLP
2502 La Branch Street
Houston, TX 77004-1028

Reese Baker
950 Echo Lane, Suite 300
Houston, TX 77024-2824

Forest Home Plantation, LLC
c/o Leann O. Moses
1100 Poydras Street
Suite 3100
New Orleans, LA 70163-1102

6
United States Bankruptcy Court
PO Box 61010
Houston, TX 77208-1010

Bank of America
4909 Savarese Circle FL1-908-01-50
Tampa, FL 33634-2413

Chase Auto Finance
P.O. Box 78101
Phoenix, AZ 85062-8101

Encore Bank
Nine Greenway Plaza
Houston, TX 77046-0900

JPMorgan Chase Bank, N.A.
s/b/m/t Chase Bank USA, N.A.
c/o Robertson, Anschutz & Schneid, P.L.
6409 Congress Avenue, Suite 100
Boca Raton, FL 33487-2853

(p)PHOENIX FINANCIAL SERVICES LLC
PO BOX 361450
INDIANAPOLIS IN 46236-1450

Wells Fargo Bank N.A., d/b/a Wells Fargo Aut
PO Box 130000
Raleigh, NC 27605-1000

Eva S. Engelhart, Chapter 7 Trustee
7700 San Felipe, Suite 550
Houston, TX 77063-1618

Scott Vincent Van Dyke
1515 South Boulevard
Houston, TX 77006-6335

Harris County, et al.
Linebarger Goggan Blair & Sampson LLP
c/o John P. Dillman
P.O. Box 3064
Houston, TX 77253-3064

AmeriCredit/GM Financial
Attn: Bankruptcy
PO Box 183853
Arlington, TX 76096-3853

Cadence/Superior Bank
Operations Center
Birmingham, AL 35203

(p)JPMORGAN CHASE BANK N A
BANKRUPTCY MAIL INTAKE TEAM
700 KANSAS LANE FLOOR 01
MONROE LA 71203-4774

Harris County et al.
c/o John P. Dillman
Linebarger Goggan Blair & Sampson LLP
P.O. Box 3064
Houston, TX 77253-3064

Johns & Hebert PLLC f/k/a Johns & Counsel PL
2028 East Ben White Boulevard, Suite 240
Austin, Texas 78741-6931

(p)TMX FINANCE LLC FORMERLY TITLEMAX
15 BULL STREET
SUITE 200
SAVANNAH GA 31401-2686

Wells Fargo Dealer Services
Attn: Bankruptcy 1100 Corporate Center D
Raleigh, NC 27607-5066

Melissa A Haselden
Haselden Farrow PLLC
Pennzoil Place
700 Milam
Suite 1300
Houston, TX 77002-2736

Susan Tran Adams
Tran Singh LLP
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Suite 1160
Houston, TX 77002-1349

The preferred mailing address (p) above has been substituted for the following entity/entities as so specified by said entity/entities in a Notice of Address filed pursuant to 11 U.S.C. 342(f) and Fed.R.Bank.P. 2002 (g) (4).

Chase Card Services
Attn: Bankruptcy
PO Box 15298
Wilmington, DE 19850

Phoenix Financial Services, LLC
Attn: Bankruptcy
PO Box 361450
Indianapolis,, IN 46236

Titlemax of Texas
15 Bull St Ste 200
Savannah, GA 31401-2686

The following recipients may be/have been bypassed for notice due to an undeliverable (u) or duplicate (d) address.

(u)Anzar Settlement Funding Corp.

(u)Builders West, Inc.

(u)Cadence Bank, N.A.

(u)Littlemill Limited

(u)Philadelphia Indemnity Insurance Company

(u)Prosperity Settlement Funding, Inc.

(du)Philadelphia Indemnity Insurance Company

(u)Andrea Lore

(u)Michael L. Noel

End of Label Matrix
Mailable recipients 29
Bypassed recipients 9
Total 38

Anzar Settlement Funding Corp
c/o Julie Goodrich Harrison
Norton Rose Fulbright US LLP
1301 McKinney St, Ste 5100
Houston, TX 77010

Builders West, Inc.
c/o Dale R Mellencamp
BairHilty PC
14711 Pebble Bend Drive
Houston, TX 77068

Cadence Bank, NA
c/o Travis Clayton Badger
3400 Ave H, 2nd Fl
Rosenberg, TX 77471

Littlemill Limited
c/o Julie Goodrich Harrison
Norton Rose Fulbright US LLP
1301 McKinney St, Ste 5100
Houston, TX 77010

Andrea Lore
c/o Julie Goodrich Harrison
Norton Rose Fulbright US LLP
1301 McKinney St, Ste 5100
Houston, TX 77010

Philadelphia Indemnity Insurance
c/o Robert W. Miller
Manier & Herod, P.C.
1201 Demonbreun Street, Suite 900
Nashville, TN 37203

Prosperity Settlement Funding, Inc.
c/o Julie Goodrich Harrison
Norton Rose Fulbright US LLP
1301 McKinney St, Ste 5100
Houston, TX 77010

Ha Minh Nguyen
Jason Ruff
Office of the United States Trustee
515 Rusk St., Ste. 3516
Houston, TX 77002

Anglo-Dutch Energy, Anglo-Dutch (Tenge)
LLC, Anglo-Dutch Everest, LLC, Anglo-Dutch
(Neftenge), & Anglo-Dutch Energy Partners
IV, LLC
PO Box 22322
Houston, TX 77227

American Oil & Gas, LLC
PO Box 22322
Houston, TX 77227

Builders West, Inc.
c/o Rusty Hardin & Associates, LLP
1401 McKinney, Suite 2250
Houston, TX 77010

Triegle Energy
PO Box 974655
Dallas, TX 75397

AT&T U-Verse
PO Box 5014
Carol Stream, IL 60197

City Of Houston – Water Department
PO Box 1560
Houston, TX 77251

CenterPoint Energy
Attn: Bankruptcy
PO Box 4981
Houston, TX 77210-4981

Propel Financial Services, LLC
PO Box 100350
San Antonio, TX 78201

Internal Revenue Service
PO Box 7346
Philadelphia, PA 19101

Littlemill Limited
c/o HMM
3200 Travis 4th Floor
Houston, TX 77006

Philadelphia Indemnity Insurance Company
c/o KF&D, PLLC
909 18th Street
Plano, TX 75074